

CASCADE COUNTY PLANNING BOARD

PLANNING STAFF: Report and Recommendations

REGARDING: Planning Board Public Hearing on April 17, 2018

SUBJECT: Major Subdivision Preliminary Plat, Rolling Meadows Phase 3, located in the SW 1/4 of Section 32, T. 20 N., R. 2 E., P.M.M. Cascade County, Montana

PRESENTED BY: Sandor Hopkins, Planner

GENERAL INFORMATION

Applicants/Owners: Robert & Gale Morgan, Bonesteel LLC

Property Location: This proposed subdivision is Rolling Meadows, Phase 3, Major Subdivision, Parcel #0005956100, Geo Code 02-3014-32-3-05-01-0000 in the SW 1/4, Section 32, Township 20 N., Range 2 E., P.M.M. Cascade County, Montana.

Existing Zoning: Mixed Use

Requested Action: Subdivision Review

Purpose: To create fifteen (15) lots

Existing Land Use: The existing lot is undeveloped

Surrounding Land Uses: Residential, Agricultural

SPECIAL INFORMATION

1. The Planning Board is in receipt of an application from Robert and Gale Morgan, Bonesteel LLC, to recommend approval of the major subdivision plat to the County Commissioners. This proposed subdivision, is located in the SW 1/4, Section 32, Township 20 N., Range 2 E., P.M.M. Cascade County, Montana
2. Attached is a copy of the major plat, which will subdivide 28.303 acres into fifteen (15) lots. The lots will be sized from 1.17 acres to 2.23 acres.
3. Pursuant to 76-3-605, MCA a public hearing is required for this major subdivision.
4. There are no delinquent taxes on this property.
5. An Environmental Assessment is required pursuant to 76-3-603(1)(a), MCA (2017).
6. The project lies outside of the Height Military Overlay District.
7. The property is not located in a regulated floodplain.

8. Legal notice of this proposed subdivision was sent to surrounding property owners on March 30, 2018 and appeared in the Great Falls Tribune on April 1, 2018 & April 8, 2018.
9. Interested Agencies were provided with notification letters and a request for comments on March 30, 2018. Public Schools responded that they have the capacity for the additional students in both Ulm and Cascade.
10. Access to the proposed subdivision will be granted by two existing approaches from West Ulm Road or approaches from Centre Street/Ulm-Vaughn Road. The applicant has an existing loop road in place and will include easements on the plat.
11. The applicant's Traffic Impact Analysis estimates that when fully developed, this subdivision will generate an additional 114.84 trip ends per day along West Ulm Road, raising the total number of trips from 456, based on 2017 counts, to approximately 571. The applicant has certified that this will not represent a significant degradation to Level of Service or Safety. The two lots serviced by Ulm-Vaughn Road are estimated to raise the traffic counts from 408 trip ends per day to 428, a minimal increase that will not degrade Level of Service or safety.
12. Parkland dedication is a requirement of this proposed subdivision. The 14 proposed residential lots will cover 27.13 acres, and the developer is required to dedicate parkland to 5% of the residential area, 1.36 acres. The applicant is proposing a 1.17 acre park lot, and will supplement the requirement with cash-in-lieu for the remaining 0.19 acre. The applicant will pay \$428, based on the Broker's opinion of value for raw, unsubdivided, unimproved land at \$2,250 per acre.
13. The proposed subdivision will receive law enforcement services from the Cascade County Sheriff's Department and fire protection services from the Ulm Volunteer Fire Department. Response time will be dictated by weather and road conditions.
14. The project is located in the Wild Land Urban Interface as the property is adjacent to development in the county as well as large undeveloped parcels with native grasses. The proposed subdivision has an existing irrigation cistern on site that will serve as the fire protection source. The existing storage tank has a total volume of 120,000 gallons, and will be modified so that the minimum required volume of 17,000 gallons (10,000 + 500 gal/lot) for fire suppression will be available at all times.

CONCLUSION

This proposed subdivision meets the requirements of the Cascade County Subdivision Regulations, as well as Montana's Subdivision and Surveying Laws and Regulations.

RECOMMENDATIONS

The following motions are provided for the Board's consideration:

"I move to recommend to the Cascade County Commission after consideration of the Staff Report and Findings of Fact, **deny**, a major subdivision, a Preliminary Plat of Rolling Meadows Phase 3;

or

"I move to recommend to the Cascade County Commission after consideration of the Staff Report and Findings of Fact, adopt said Staff Report and Findings of Fact and **approve**, a major subdivision, a Preliminary Plat of Rolling Meadows Phase 3, subject to the following conditions:

1. Having the developer's surveyor correct any errors or omissions on the preliminary plat;
2. Causing to be prepared certificates of title of the land in the subdivision to be recorded in conjunction with the final plat;
3. Submitting with the plat a certificate of a title abstracter showing the names of the owners of record of the land and the names of lien holders or claimants of record against the land (M.C.A. 76-3-612, 2017).
4. Causing to be recorded in conjunction with the final plat the covenants of the Major Plat that contain, at a minimum, a noxious weed control program, an erosion control program, a limit to livestock and pets, a provision prohibiting commercial or industrial uses, and that impose upon all landowners the exclusive responsibility to improve and maintain the public rights of way created by and indicated on the subdivision plat.
5. Causing to be recorded in conjunction with the final plat homeowners' association documents with sufficient authority and procedural mechanisms to administer, enforce, and fund the perpetual maintenance and discretionary improvement of the public rights of way created by and indicated on the subdivision plat.
6. Causing to be recorded on the plat a statement concerning limited public services.
7. Pursuant to 7-22-2152 M.C.A. (2017), submitting a written plan to the Cascade County Weed Board specifying the methods for weed management procedures with regards to this development.
8. Causing to be recorded on the plat an Agriculture Notification statement.
9. A certificate of waiver of park land dedication and acceptance of cash in lieu thereof statement placed on the plat for the 0.19 acres that are not covered by the 1.17 of parkland dedication.
10. Causing to be recorded in conjunction with the final plat, an agreement requiring property owners of each subdivision tract to take part in any Rural Special Improvement District (RSID) for the reconstruction, improvement or perpetual maintenance of West Ulm Road, Ulm-Vaughn Road, or any county road in the vicinity used to access the major subdivision, Rolling Meadows Phase 3, or any other road that can be used to access these lots as determined by Cascade County, provided that all other property owners served by said road share equitably in such an RSID. This waiver shall expire 20 years after the date the final plat is filed with Cascade County. This statement of waiver shall be placed on the final plat.
11. Design, construction, inspection, and certification, by a licensed professional engineer, of all internal private roads and cul-de-sacs to Cascade County Subdivision Road

Specifications, as well as the purchase and installation of all required street signs and stop signs. All of the above items to be at the developer's expense and to be completed prior to the approval of the final plat.

12. The inclusion on the major plat a statement provided by Cascade County certifying the status of the internal subdivision roads.
13. The inclusion of setbacks in the covenants as required by the Cascade County Zoning Regulations.
14. Montana Department of Environmental Quality (MDEQ) Certificate of Subdivision Approval (COSA) shall be submitted with the final plat.
15. Cause to be filed with final plat a Declaration of Covenant that declares that all of the properties described shall be held, sold, and conveyed subject to the following covenant which shall run with the real property and be binding on all parties having any heirs, successors and assigns, and shall bind each owner thereof. The covenant may be revoked for any or all parcels within the subdivision by mutual consent of the owners of the parcels in question and the governing body of Cascade County.
16. Modification of existing irrigation tank installed on-site, properly maintained and equipped with the proper appurtenances for the Ulm Volunteer Fire Department to use for firefighting at all times. Provide the developers install and the homeowners association maintain an accessible approach for access to the cistern at all times. The modification of the tank, with a maximum capacity of 120,000, will allow it to maintain a minimum of 17,000 gallons for fire suppression services.
17. The homeowners association shall be responsible for the continual maintenance of the equipment subject to adequate inspections by the Fire Chief of the Ulm Volunteer Fire Department to insure the equipment is being properly maintained.
18. MDEQ approval for the proposed site grading and drainage and stormwater conveyance system shall be submitted prior to final plat approval. Additionally, final engineering plans, stamped by a professional engineer in the State of Montana, shall be submitted to the Cascade County Planning Division with the final plat submittal.
19. A copy of the MDEQ General Discharge Permit for Stormwater associated with construction activity shall be submitted prior to final plat approval, if applicable.

Attachments: Findings of Fact
Reduced Copy of Preliminary Plat

cc: Robert and Gale Morgan, Bonesteel LLC
Tony Prothero, Shedhorn Engineering LLC